

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

FILED ENTERED
FILED ENTERED
LODGED RECEIVED

November 4, 2002

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY WESTERN DISTRICT OF WASHINGTON DEPUTY DEPUTY

Mr. Scott Poff
Clerk
United States District Court
Post Office Box 8286
Savannah, GA 31412-8286

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-22) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 28, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case
Warhul v. Delaco Co., et al

Your Number
5:02-89

WAW Number

CV02-2268

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber
Valerie Barber, Deputy Clerk
206-553-4170 ext 4



MD 01 01407 000001202

1202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

November 4, 2002

Honorable Robert H. Shemwell
Clerk
United States District Court
1167 United States Court House
300 Fannin Street
Shreveport, LA 71101-3083

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-22) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 28, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case	Your Number
Sypher v. Bayer Corp., et al	2:02-1189
Sanders v. American Home Prod. Corp., et al	2:02-1253

WAW Number

CV02-2269

CV02-2270

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber
Valerie Barber, Deputy Clerk
206-553-4170 ext 4

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

November 4, 2002

John Michael McMahon
Acting Clerk
United States District Court
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-22) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 28, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case
Allen v. Dura Pharmaceuticals, Inc.

Your Number
1:02-3216

WAW Number
CV02-2271

Sincerely,

BRUCE RIFKIN, CLERK

By *Valerie Barber*

Valerie Barber, Deputy Clerk
206-553-4170 ext 4

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

November 4, 2002

Ms. Geri M. Smith
Clerk
United States District Court
Carl B. Stokes United States
Courthouse
801 West Superior Avenue
Cleveland, OH 44113

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-22) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 28, 2002 . We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case
Balis v. CVS Pharmacy, Inc.

Your Number
1:02-518

WAW Number

CV 02-2275

Sincerely,

BRUCE RIFKIN, CLERK
By

Valerie Barber, Deputy Clerk
206-553-4170 ext 4

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:

Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:

Judge John F. Keenan
United States District Court
Southern District of New York

Judge Morey L. Sear
United States District Court
Eastern District of Louisiana

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

October 28, 2002

Bruce Rifkin, Clerk
215 William Kenzo Nakamura
U.S. Courthouse
1010 Fifth Avenue
Seattle, WA 98104

Handwritten signature/initials

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

(See Attached Schedule CTO-22)

Dear Mr. Rifkin:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule on October 10, 2002. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

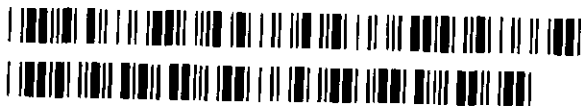
By _____
Deputy Clerk

Attachments

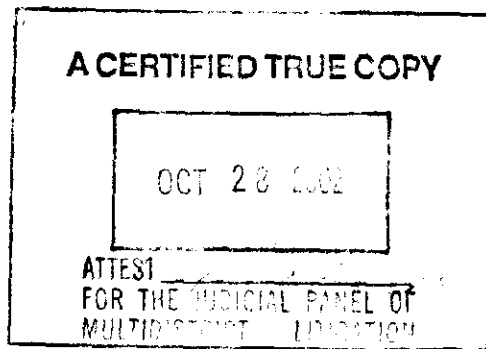
cc: Transferee Judge: Hon. Barbara Jacobs Rothstein
Transferor Judges: Hon. Patricia A. Gaughan; Hon. William T. Moore, Jr.; Hon. Loretta A. Preska;
Hon. James T. Trimble, Jr.
Transferor Clerks: Geri M. Smith; J. Michael McMahon; Robert H. Shemwell; Scott Poff

JPML Form 38

Handwritten number: 1150



MD 01 01407 00001150



JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

OCT 10 2002

FILED
CLERK'S OFFICE

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY
LITIGATION

(SEE ATTACHED SCHEDULE)

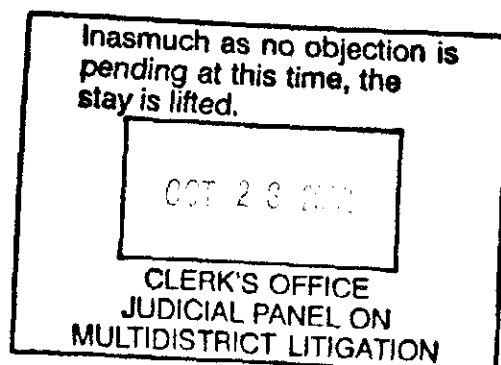
CONDITIONAL TRANSFER ORDER (CTO-22)

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 646 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

Michael J. Beck
Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-22 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT DIV. CIVIL ACTION#

GEORGIA SOUTHERN

GAS 5 02-89 Lilian Warhul v. Delaco Co., et al.

LOUISIANA WESTERN

LAW 2 02-1189 Frances L. Sypher v. Bayer Corp., et al.

LAW 2 02-1253 Helen Louise Sanders v. American Home Products Corp., et al.

MISSISSIPPI NORTHERN

~~MSN 4 02-214 Eddie Bullock, et al. v. Walter Moses, M.D., et al.~~ OPPOSED 10/21/02

MISSISSIPPI SOUTHERN

~~MSS 3 02-1473 Rudy Watts v. Bayer Corp., et al.~~ OPPOSED 10/21/02

NEW YORK SOUTHERN

NYS 1 02-3216 Charles A. Allen, et al. v. Dura Pharmaceuticals, Inc., et al.

OHIO NORTHERN

OHN 1 02-518 Patricia Balis, et al. v. CVS Pharmacy, Inc.

INVOLVED COUNSEL LIST (CTO-22)**DOCKET NO. 1407****IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

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